

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SANDOR ANIVAL CORDOVA
CARBALLO, et al.

Plaintiffs

V.

WILLIAM BARR, et al.,

Defendants

Case No.: 2:20-cv-02196-APG-BNW

Order Accepting Report and Recommendation

[ECF No. 17]

The plaintiffs moved for leave to file a second amended complaint. ECF No. 6.

10 Magistrate Judge Weksler granted that motion in part, allowing the plaintiffs to add some claims
11 but recommending that I deny leave to amend several other claims because they would be futile.
12 ECF No. 17 at 11. No objection has been filed as to that recommendation. I am not required to
13 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v.*
14 *Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is not
15 required to review a magistrate judge’s recommendation where no objection has been filed. *See*
16 *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district judge must
17 review the magistrate judge’s findings and recommendations *de novo* if objection is made, but
18 not otherwise.”); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003)
19 (Based on *Thomas* and *Reyna-Tapia*, “district courts are not required to conduct any review at
20 all . . . of any issue that is not the subject of an objection.”). Because there is no objection to
21 Judge Weksler’s recommendation, I may accept it without review.

22 I THEREFORE ORDER that Judge Weksler's Report and Recommendation (ECF No. 23 **17**) is accepted. The plaintiff's motion to amend (ECF No. 6) is denied in part as follows:

- 1 • amendment to add plaintiff Yassine Fadi is denied as futile;
- 2 • amendment as to Count 2 is denied as futile;
- 3 • amendment as to Count 3 is denied as futile as against all defendants except Koehn,
- 4 Lauer, and Simic;
- 5 • amendment as to Count 4 is denied as futile as against all defendants except Koehn,
- 6 Lauer, and Simic;
- 7 • amendment as to Count 5 is denied as futile as against all defendants except Koehn,
- 8 Lauer, and Simic;
- 9 • amendment to assert a § 1983 claim against the CoreCivic employees is denied as futile.

10 Judge Weksler previously granted the remainder of the motion to amend so no further
11 action is needed from me at this time. ECF No. 17 at 11.

12 DATED this 3rd day of September, 2021.

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14 ANDREW P. GORDON
15 UNITED STATES DISTRICT JUDGE
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